

IN THE DRAWINGS

Applicants enclose replacement sheets for Figs. 1 and 2. Please add the caption "Prior Art" to Figs. 1 and 2.

REMARKS

Claims 1-32 are pending in the present application.

The Examiner objected to Figs. 1 and 2 under MPEP § 608.02(g) for failing to designate that which is old as “Prior Art.” Applicants attach replacement sheets for these figures with the designation “Prior Art.” Applicants, thus, respectfully request that the objection to the drawing—Figs. 1 and 2—be withdrawn.

Claims 1, 10-11, 20-21, and 30-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicants’ Admitted Prior Art (“AAPA”) in view of U.S. Patent No. 6,665,273 to Goguen et al.; and claims 2-9, 12-19, and 22-29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of Goguen et al., and further in view of U.S. Patent No. 6,560,654 to Fedyk et al. The Examiner’s rejections are respectfully traversed.

The Examiner relied upon Fig. 1 and its corresponding description in the specification as AAPA that allegedly discloses the claimed steps of transmitting a first message and mapping labels. The cited portions of AAPA do not, however, disclose the claimed features. With reference to Fig. 1 and page 2, lines 5-12 of the specification, the relay apparatus 1 transmits a packet 18 with a label “A” and a label “a” attached thereto. The relay apparatus 2 that receives the packet 18 refers to the label table 20. Label table 20 indicates that a packet received through the incoming interface 1 with a label “a” attached thereto should be transmitted through the outgoing interface 2 with the label “a” being changed to a label “b.” In accordance with the content of label table 20, the relay apparatus transmits the packet 18 through the outgoing interface 2 while changing the label “a” to “b.” Thus, the packet 18 of Fig. 1 cited by the Examiner does not carry a request for a label for a plurality of layer paths, but merely a label

itself. Furthermore, the cited portions of AAPA on page 2, lines 5-24 merely describe routing packets based on labels attached to the packets and not assigning labels to a requested path.

The Examiner acknowledged that AAPA does not disclose the claimed features of “(c) transmitting a second message from the end-point node to the start-point node of said highest-layer path in response to said first message, thereby reporting by means of said second message the labels mapped in said step (b); and (d) storing said reported labels at each node,” page 4, lines 3-6 of the Office Action, and relied upon Goguen et al. as a combining reference that allegedly discloses these features. Fig. 2 and its corresponding description in Goguen et al., as cited and applied by the Examiner, merely show a setup request being sent from a node R1 to a node Rn along a calculated path 200 and a setup reply being sent from Rn back to R1 on the calculated path 200, where the setup reply causes each node, Rn-1 to R2, to update a label for the path from which the setup reply arrived on its way back to R1.

The Examiner relied upon Fedyk et al. as a combining reference to specifically address the additional features recited in dependent claims 2-9, 12-19, and 22-29. In any case, Fedyk et al. appear to merely describe a technique for setting a path between a source and a destination and feeding back the quality of the path. Please see, e.g., the abstract, Fig. 3, and its corresponding description in Fedyk et al.

Therefore, even assuming, arguendo, that it would have been obvious to one skilled in the art to combine the cited prior art references, the combination would still have failed to disclose or suggest,

- “(a) transmitting a first message from a start-point node to an end-point node of the highest-layer path, said first message carrying a label request for a plurality of layer paths;
- (b) mapping labels to the requested paths at each node in response to said label request...,” as recited in claim 1.
(Emphasis added)

Accordingly, Applicants respectfully submit that claim 1, together with claims 2-10 dependent therefrom, is patentable over the cited prior art references, individually and in combination, for at least the above-stated reasons. Claims 11, 21, and 31 include limitations similar to those of claim 1 cited above, and are, therefore, together with claims 12-20, 22-30, and 32 dependent therefrom, respectively, patentable over the cited prior art references for at least the same reasons.

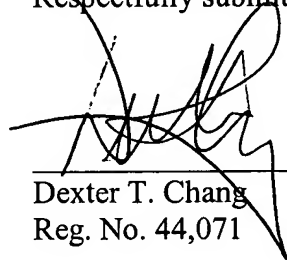
The above statements on the disclosure in the cited references represent the present opinions of the undersigned attorney. The Examiner is respectfully requested to specifically indicate those portions of the respective reference that provide the basis for a view contrary to any of the above-stated opinions.

Applicants appreciate the Examiner's implicit finding that the additional U.S. patents made of record, but not applied, do not render the claims of the present application unpatentable, whether these references are considered alone or in combination with others.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



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